

5950. Adulteration of tomatoes. U. S. * * * v. Winfield S. Armstrong and Eugene A. Burch (Waterview Packing Co.). Pleas of guilty. Fine, \$50. (F. & D. No. 8262. I. S. No. 2524-m.)

On October 2, 1917, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Winfield S. Armstrong and Eugene A. Burch, co-partners, trading as the Waterview Packing Co., Waterview, Va., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about October 3, 1916, from the State of Virginia into the State of New York, of a quantity of an article labeled in part, "Red King Brand Tomatoes," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Immersion refractometer reading at 20°C:

(1) 30.5	(7) 27.7
(2) 30.3	(8) 33.6
(3) 26.1	(9) 32.6
(4) 29.9	(10) 28.2
(5) 30.1	(12) 27.0
(6) 32.3	

Analysis of composite sample. Cans 1, 2, 3, 4, 5, 7, 10, 12:

Immersion refractometer reading at 20°C.....	28.4
Specific gravity 20°C/20°C.....	1.0146
Solids in vacuo 70°C (per cent).....	3.48
Ash (per cent)	0.30
Sodium chlorid (per cent).....	0.02
Acids as citric anhydrous (per cent).....	0.22
Sugars as invert after inversion (per cent).....	2.60
Salt free ash (per cent).....	0.28

This product contains at least 10 per cent added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength, and had been substituted in part for tomatoes, which the article purported to be.

On October 2, 1917, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

C. F. MARVIN, Acting Secretary of Agriculture.